

Remarks*Amendments*

The Action reports that our amendment to the Specification filed Feb 6, 2004, was not entered because it was not scanned at the USPTO, and requests that we re-file the amendment. Accordingly, we have re-presented the same amendment to the Specification above. This amendment to the Specification only corrects an obvious spelling error in the chemical name of IC-3. Claim 18 is amended to incorporate the language of claim 20, and to reference a popular synonym of Kuz, Adam10 (Specification, p.2, line 4); the other claims are canceled. These amendments introduce no new matter.

35 USC 112, first paragraph (Written Description)

Claim 18 is directed to a method of inhibiting angiogenesis with a specified Kuz/Adam10 inhibitor. The Action questions whether identifying Kuz/Adam10 by name, rather than by sequence, conveys possession, and cites cases like *Amgen* and *Fiddes*, etc.

In contrast to the cited cases, the Kuz/Adam10 recited in our claim is a prior art recognized family of natural proteins that has been extensively described, encompassing natural orthologs and variants also well-known in the art. Specification, p.4, lines 2-4. The Specification cites several patent documents describing Kuz/Adam10, including WO98/37092; WO97/31931; US Pat No.5,922,546; and US Pat No.5,935,792.

In fact, those skilled in the art routinely and exclusively describe Kuz/Adam10 by name, and have done so consistently since long before our filing date. Attached are the first pages or abstracts of over twenty (of many more) pre-filing date scientific publications from groups all over the world that describe and convey possession of Kuz/Adam10 to those skilled in the art by name. None of these publications recite Kuz/Adam10 sequences, and for good reason. The publications are directed to those skilled the art, and those skilled in the art identify art-recognized proteins like Kuz/Adam10 by name, not sequence recitation.

35 USC 112, first paragraph (Enablement)

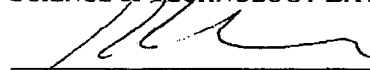
The Specification does not incorporate "essential material" by reference. The Specification is directed to those skilled in the art, and the attached Kuz/Adam10 publications

demonstrate that Kuz/Adam10 is an established term of art, and that those skilled in the art do not require Kuz/Adam10 sequence recitations to use and target Kuz/Adam10.

The Examiner is invited to call the undersigned if he would like to amend the claims to clarify the foregoing or seeks further clarification of the claim language.

We petition for and authorize charging our Deposit Account No. 19-0750 all necessary extensions of time. The Commissioner is authorized to charge any fees or credit any overcharges relating to this communication to our Dep. Acct. No. 19-0750 (order B01-019-2).

Respectfully submitted,
SCIENCE & TECHNOLOGY LAW GROUP



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enc. Kuz/Adam10 publications (21p.)